

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA)
)
v.)
) Criminal No. 5:21-cr-23
RICHARD E. MOORE)

PETITION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Pursuant to 28 U.S.C. § 2241(c)(5), the United States hereby petitions the Court for a writ of habeas corpus ad prosequendum for defendant, Richard E. Moore, and states:

1. Defendant is charged in this case in a superseding indictment with ten counts of willful failing to pay over trust fund taxes, in violation of 26 U.S.C. § 7202, and with two counts of aiding and assisting in the preparation of false tax returns, in violation of 26 U.S.C. § 7206(2).
2. Defendant is currently incarcerated at the Middle River Regional Jail in Staunton, Virginia, and is in the custody of the Augusta County Sheriff. The Defendant's current incarceration is in connection with a different case that arose in August County.
3. Defendant is scheduled to appear via Zoom at a status hearing in this case tomorrow, Wednesday December 13, 2023 at 3:00 p.m. A writ of habeas corpus ad prosequendum is necessary to secure the defendant's presence at that proceeding.

WHEREFORE, the United States respectfully requests the Court order the issuance of a writ of habeas corpus ad prosequendum directing the Augusta County Sheriff and any other interested federal law enforcement officer to produce Richard E. Moore for a Zoom hearing

before the Court at the place and time stated above, or any date thereafter as scheduled by the Court.

Respectfully submitted,

Dated: 12/12/2023

CHRISTOPHER R. KAVANAUGH
United States Attorney

/s/ William M. Montague
Trial Attorney
U.S. Department of Justice, Tax Division
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/s/ Matthew C. Hicks
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TO: Middle River Regional Jail, 350 Technology Drive, Staunton, Virginia 24401
(540) 245-5420

**IN THE EVENT THIS INMATE IS TO BE TRANSFERRED TO ANOTHER
FACILITY BEFORE THE REQUESTED DATE OF APPEARANCE, PLEASE NOTIFY
THE TRIAL ATTORNEY LISTED ABOVE AT (202) 616-2386.**

GREETINGS:

WE COMMAND YOU that you surrender the body of RICHARD E. MOORE detained in the Middle River Regional Jail, Staunton, under your custody as it is said, to the United States Marshal for the Western District of Virginia, or one of her Deputies, or any other authorized United States Marshal, to the end that her body will be before the United States District Court for the Western District of Virginia, at the above time and place, or at such other time or times as the District Court may direct.

ENTERED: This _____ day of December 2023.

Hon. Elizabeth K. Dillon
United States District Judge

TO THE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT
OF VIRGINIA, OR ANY AUTHORIZED UNITED STATES MARSHAL:

TO EXECUTE:

WE COMMAND that you proceed to the and remove therefrom the body of RICHARD E. MOORE and produce him under safe and secure conduct before the United States District Court for the Western District of Virginia, at the above time and place, or at such other time or times as the District Court may direct; and upon completion of her testimony, return the said RICHARD E. MOORE to the Middle River Regional Jail, Amherst.

BY: _____
Deputy Clerk

CUSTODY ASSUMED:

EXECUTED this _____ day of December 2023.

BY: _____
United States Marshal/Deputy

RETURNED:

EXECUTED this ____ day of December 2023.

BY: _____
United States Marshal/Deputy

SENTENCED STATE PRISONER: Yes: _____ No: ___X___